

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

William M. Cruz

v.

Civil No. 13-cv-68-SM


State of New Hampshire

O R D E R

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated July 17, 2013. The petitions (doc. nos 1 and 5) are dismissed as untimely filed. Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

The Clerk shall enter judgment and close the case.

SO ORDERED.


Steven J. McAuliffe
United States District Judge

Date: November 15, 2013

cc: William M. Cruz